

requirement may be satisfied through disclosure of function and minimal structure when there is a well-established correlation between structure and function." In the instant case, the specification recites a conventional projection system coupled to a microprocessor that provides the images that are to be projected. In the example provided, when the alarm clock is set, two dots are projected; as the alarm time approaches, the projected dots move closer together. One of ordinary skill in the art can be expected to be able to program a microprocessor-controlled projector to change the position of projected dots as a function of time.

The Examiner further asserts that the description fails to adequately describe how to construct a "conductive bedsheet" or a "conductive duvet cover" so that control of images may be performed. The Examiner's attention is requested to page 2, lines 16-20, that describes how to create a conductive blanket, and at page 3, lines 1-9. One of ordinary skill in the art can be expected to be able to program a microprocessor-controlled project to change projections based on a measured conductivity/resistance.

The Examiner further asserts that it is not known what constitutes a "pocket", "pebbles", and "poppers". The Applicants respectfully note that the inventor defines the lexography of a patent. The Applicants clearly recite that the pocket forms a receptacle for a selected pebble, the selected pebble defining the game to be played. In a simple embodiment, for example, the pocket can be a socket for receiving a "smart card" (pebble) that defines the particular game. In another example embodiment, the pocket can be a conventional coin-operated mechanism, wherein the denomination of a deposited coin (pebble) defines the particular game. The Applicants further define a popper to be a metal element within the conductive bedsheets that provide connections between broken lines of conductive ink.

The Examiner further asserts that the description recites general possible functions without adequate physical limitations to carry out the functions. As also included in MPEP 2163, quoting *Fonar Corp. v. General Electric Co.*, 107 F.3d 1543, 1549, 41 USPQ2d 1801, 1805 (Fed. Cir. 1997): "As a general rule, where software constitutes part of a best mode of carrying out an invention, description of such a best mode is satisfied by a disclosure of the functions of the software. This is because,

normally, writing code for such software is within the skill of the art, not requiring undue experimentation, once its functions have been disclosed."

Based on the remarks above, the Applicants respectfully request the Examiner's reconsideration of the rejection of claims 1-8 under 35 U.S.C. 112, first paragraph.

The Examiner has rejected claims 1 and 8 under 35 U.S.C. 102(b) as being anticipated by DE20004679, and claims 2, 4, and 5 under 35 U.S.C. 103(a) as being unpatentable over DE20004679. The Applicants respectfully traverse this rejection.

The Applicants claim priority under 35 U.S.C. 119 based on European Patent Application 00204619.1, filed 19 December 2000. The publication date of DE20004679 is less than one year prior to this filing date, and thus DE20004679 is not available as prior art to this application under 35 U.S.C. 102(b).

*Change to 102
Also apply other
ref's*

In view of the foregoing, the Applicants respectfully request that the Examiner withdraw the rejections of record, allow all the pending claims, and find the present application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Robert M. McDermott, Esq.

Reg. No. 41,508

804-493-0707

CERTIFICATE OF MAILING OR TRANSMISSION

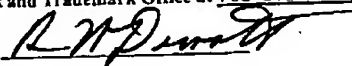
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On 4 August 2003

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